

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 3:21-mj-00031-CLB

Plaintiff,

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CODY KRINGLE,

Defendants.

ORDER OF TEMPORARY RELEASE TO STATE CUSTODY PENDING RESOLUTION OF STATE CHARGES

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Before the Court is Defendant's unopposed motion to reopen detention and release defendant to the custody of the State of Nevada and the supplement thereto. (ECF Nos. 14, 15). The government did not file any response or opposition. Having reviewed the filings and considered the information provided by the parties during the hearing held on March 19, 2021, Defendant's motion is granted.

Pursuant to 18 U.S.C. § 3142(i)(4), after a detention order is entered by a judicial officer that “[t]he judicial officer may, by subsequent order, permit the temporary release of the person, in the custody of a United States marshal or another appropriate person, to the extent that the judicial officer determines such release to be necessary for preparation of the person’s defense or for another compelling reason.” In this case, the court finds that it is appropriate to enter an order to temporarily release Defendant to the custody of the State of Nevada pending the resolution of his state charges, including any violations of parole or probation.

Although Defendant is temporarily released to the custody of the State of Nevada with this order, that temporary release does not otherwise alter or modify the detention order, ECF No. 11, entered in this case. Thus, upon the conclusion of those state proceedings and Defendant's release from state custody, Defendant shall be remanded

1 to federal custody and he shall remain in custody pending any further proceedings in this
2 case pursuant to ECF No. 11.¹

3 **IT IS ORDERED** that Defendant Cody Kringlie is temporarily released from the
4 Court's prior Detention Order, ECF No. 11, and shall be forthwith remanded to the custody
5 of the State of Nevada in order to resolve his outstanding state charges.

6 **IT IS FURTHER ORDERED** that upon Defendant Cody Kringlie's release from the
7 custody of the State of Nevada, he shall be immediately remanded to the custody of the
8 United States.

9 **IT IS FURTHER ORDERED** that upon Defendant Cody Kringlie's remand to the
10 custody of the United States, the Detention Order, ECF No. 11, remains in effect and
11 Defendant Cody Kringlie will remain the custody of the United States pending further
12 proceeding in this case.

13 **DATED:** March 19, 2021.

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UNITED STATES MAGISTRATE JUDGE

27 ¹ Nothing in this order would prevent or otherwise be construed to alter
28 Defendant's right to subsequently move to re-open this detention order pursuant to 18
U.S.C. § 3142 upon his remand to federal custody, if new facts and circumstances are
discovered that would support an alteration of the subsequent detention order.